

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ROBERTA ANN STEVENS,

Plaintiff,

v.

JO GENTRY et al.,

Defendants.

2:16-cv-00277-JCM-GWF

**ORDER**

**I. DISCUSSION**

Plaintiff is a prisoner in the custody of the Nevada Department of Corrections (“NDOC”). (ECF No. 1-1 at 2). On February 11, 2016, Plaintiff, then *pro se*, initiated this case by filing a civil rights complaint pursuant to 42 U.S.C. § 1983 and original and supplemental applications to proceed *in forma pauperis*. (ECF No. 1, 1-1, 2). The screening order permitted some of Plaintiff’s claims to proceed to mediation. (ECF No. 3 at 11). At mediation, the parties agreed that outside counsel would represent the remaining defendants and that the parties would participate in a second mediation. (ECF No. 10 at 2). Prior to the second mediation, Plaintiff obtained private counsel. (ECF No. 16, 17, 18). The parties did not reach a settlement at the second mediation.<sup>1</sup> (ECF No. 18).

The Court now denies, without prejudice, Plaintiff’s original and supplemental applications to proceed *in forma pauperis* (ECF No. 1, 2). The Court directs Plaintiff to either file an updated application to proceed *in forma pauperis* for prisoners or pay the full filing fee of \$400 to proceed with this action.

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<sup>1</sup>s The Court ordered Defendants to file a status report on the mediation on or before Friday, March 3, 2017. (ECF No. 13 at 2). Defendants did not file a status report with the Court.

1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that the original and supplemental  
3 applications to proceed *in forma pauperis* (ECF No. 1, 2) are denied without prejudice.

4 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
5 approved form application to proceed *in forma pauperis* by a prisoner, as well as the document  
6 entitled information and instructions for filing an *in forma pauperis* application.

7 IT IS FURTHER ORDERED that **on or before Friday, March 31, 2017**, Plaintiff shall  
8 either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form  
9 with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full  
10 \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative  
11 fee).

12 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order, the  
13 Court will dismiss this case with prejudice.

14 IT IS FURTHER ORDERED that this case shall proceed on the normal litigation track  
15 as guided by the Federal Rules of Civil Procedure.

16 IT IS FURTHER ORDERED that service must be perfected within ninety (90) days from  
17 the date of this order pursuant to Fed. R. Civ. P. 4(m).

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19 DATED: This 14th day of March, 2017.

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22 United States Magistrate Judge  
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